

Applicant : Ronald P. Knockeart et al.  
Serial No. : 10/675,626  
Filed : September 30, 2003  
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Attorney Docket 09650-005009 / 2003P13043US

### Remarks

The examiner rejected claims 24-28 under 35 U.S.C. 102(e) as being anticipated by Hoffberg (U.S. 6,429,812, the "Hoffberg patent").

Regarding claim 24, the applicant notes that the Hoffberg patent is not prior art to the present application. The present application is a divisional of an application 10/246,963, filed on September 19, 2002, which is a continuation of an application 09/136,868, filed on August 19, 1998. The Hoffberg patent, which was filed on May 30, 2000, is a divisional of application 09/236,184, filed on January 25, 1999 (which is after August 19, 1998, the filing date of the parent of the present application). The Hoffberg patent also claims priority to provisional application 60/072,757 (the "Hoffberg provisional"), filed on January 27, 1998. However, the examiner's rejection of claim 24 is not supported by the Hoffberg provisional.

The applicant has reviewed the Hoffberg provisional, and does not find that it discloses "comparing a vehicle speed to the speed limit or a historical average speed" (col. 20:27-28) that the examiner is pointing to in the Hoffberg patent for rejecting claim 24. If the examiner still regards claim 24 as being anticipated by the Hoffberg provisional, the applicant requests that the examiner point out the particular section that discloses the limitations of claim 24.

The other references cited by the examiner, independently or in combination, do not disclose or suggest all of the limitations of claim 24. For example, while Horvat, Mardirossian, and Hoshino disclose comparing vehicles speeds with speed limits and reporting speed limit violations, they do not disclose or suggest "if the vehicle's speed on the segment deviates from the stored speed, transmitting a traffic notification *identifying that segment* to a server" (emphasis added).

Regarding claim 25, the references cited by the examiner, independently or in combination, do not disclose or suggest "for each detected segment, logging traffic-related data, including data related to the vehicle's speed on the detected segment." For example, the Hallberg provisional discloses storing information describing events and the locations of the events, but does not disclose or suggest logging traffic-related data for each detected segment of a road network.

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Claims 26 and 27 are patentable for at least the same reasons as claim 25.

The applicant has added new dependent claims 38-43. Claims 38-39 require that a map of the road network be stored at the vehicle, and that the map include data including the stored speed for at least some of the segments of the road network. Claims 40-41 require that the stored speed comprises an average vehicle speed. Claims 42-43 require that the map includes data indicating start and end times of the morning or evening busy period.

New dependent claim 44 requires that the traffic notification be sent to the server when the vehicle's speed deviates from the stored speed by more than a threshold value.

The applicant has also added new dependent claims 45-53. These claims require that a map of the road network be stored at the vehicle, and that there be storage associated with at least some of the segments of the road network of the map for storing traffic related data.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

The fact that the applicant has not made additional comments regarding the examiner's remarks does not imply that the applicant concedes the examiner's positions, nor does it imply that there are not other good reasons for patentability of the pending claims and other claims.

Please apply \$110 for the Petition for Extension of Time fee, and any other charges to deposit account 06-1050, referencing attorney docket 09650-005009.

Respectfully submitted,

Date:

7/6/2004

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\* See attached document certifying that Rex Huang has limited recognition to practice before the U.S. Patent and Trademark Office under 37 CFR § 10.9(b).

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**Expires: January 1, 2005**



Harry I. Moatz  
Director of Enrollment and Discipline